

**PELTON GRAHAM LLC**

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*Attorneys for Plaintiffs and  
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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK**

**CATALINO MENDEZ, EDUARDO CHOCOJ  
and ISRAEL RODRIGUEZ, Individually and  
on Behalf of All Others Similarly Situated,**

**Plaintiffs,**

**-against-**

**16 Civ. 2746 (RLM)**

**MCSS REST. CORP., AL-KEN CORP. d/b/a  
CROSS BAY DINER, MIKO ENTERPRISES,  
LLC d/b/a PARKVIEW DINER, MICHAEL  
SIDERAKIS, CHRISTOS SIDERAKIS and  
KONSTANTINOS SIKLAS, Jointly and  
Severally,**

**Defendants.**

**NOTICE OF PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS  
SETTLEMENT AND APPROVAL OF COUNSEL'S FEES AND COSTS**

PLEASE TAKE NOTICE that, upon the annexed declaration of Brent E. Pelton, Esq., sworn to July 21, 2022, the exhibits annexed thereto, the annexed declaration of Snehal Indra, the exhibits annexed thereto, the accompanying memorandum of law in support of the Plaintiffs' motion for final approval of the class settlement agreement ("Motion for Final Approval"), and all the pleadings and proceedings heretofore had herein, the undersigned moves this Court, before the

Hon. Roanne L. Mann, United States Magistrate Judge, in the United States District Courthouse for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York 11201, for an Order:

- (1) granting final approval of the settlement reached by the parties in this action as embodied in their Settlement Agreement And Release;
- (3) granting final approval of the FLSA settlement;
- (4) granting service awards to the three (3) Named Plaintiffs in the amount of \$5,000 each, for a total of \$15,000, in recognition of the services they rendered on behalf of the class;
- (5) awarding Class Counsel's attorneys' fees of one-third (1/3) of the Settlement Fund in the amount of \$163,595.33 and reimbursement of litigation expenses in the amount of \$ 14,214.01;
- (6) awarding Settlement Administrator's estimated fees of \$25,984.00; and
- (7) granting any such other and further relief as the Court may deem just and proper.

For the Court's convenience, attached hereto as **Exhibit 1** please find Plaintiffs' [PROPOSED] ORDER ON PLAINTIFFS' MOTION FOR FINAL APPROVAL OF CLASS SETTLEMENT AND APPROVAL OF CLASS COUNSEL'S FEES AND COSTS.

Dated: New York, New York  
July 21, 2022

Respectfully submitted,

**PELTON GRAHAM LLC**

By: /s/ Brent E. Pelton  
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